

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**MARY PARR, ROBERT SWENSON,
and ARLENE SWENSON,**

Civil No. 06-457 (DSD/SRN)

Plaintiffs,

**LAKE ST. CROIX VILLAS
HOMEOWNERS ASSOCIATION, INC.,**

ORDER

Involuntary plaintiff,

v.

**THEODOR PERLINGER, MARLENE
FEARING, HARVEY KOWALZEK,
PROGRESSIVE REAL ESTATE, INC.,
doing business in its own name and as
M.A. FEARING COMPANIES, INC.,
M.A. FEARING, INC., M.A. FEARING, LTD.
and M.A. FEARING INVESTMENTS,**

Defendants.

Jon E. Kingstad, Esq. on behalf of Plaintiffs

Chad Lemmons, Esq. on behalf of Defendant Theodor Perlinger

James R. Doran, Esq. on behalf of Defendant Harvey Kowalzek:

Marlene Fearing, pro se

No counsel appeared for Defendants Progressive Real Estate, Inc. d/b/a M.A. Fearing
Companies, Inc., M.A. Fearing, Inc., M.A. Fearing, Ltd. and M.A. Fearing Investments

The above-entitled matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Susan Richard Nelson dated May
3, 2006. No objections have been filed to that Report and Recommendation in the time
period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiffs' Motion to Remand (Doc No. 3) is **GRANTED**.

Dated: May 23, 2006

s/David S. Doty
DAVID S. DOTY
United States District Court Judge